

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of New Mexico**FILED**UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

JUL 25 2018

United States of America

v.

Case No. 18-MJ-2407

TASHQUIN DAVIS

Year of Birth 2000

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 07/24/2018 in the county of San Juan in the
State and District of New Mexico, the defendant(s) violated:

Code Section

Offense Description

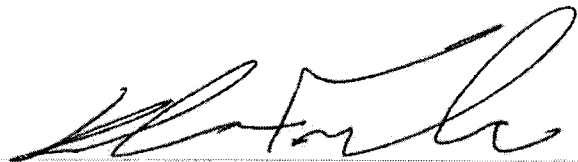
Title 18 U.S.C. 1111

Murder

Title 18 U.S.C. 1153

Offenses Committed in Indian Country

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Complainant's signature

Kalon Fancher Special Agent FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 07/25/2018

Judge's signature

City and state: Farmington, New Mexico

B. Paul Briones United States Magistrate Judge

Printed name and title

JS/AUSA

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

State of New Mexico)

County of San Juan)

AFFIDAVIT IN SUPPORT OF ARREST WARRANT

I, Kalon Fancher being duly sworn, hereby, depose and state as follows:

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI) and have been employed in that capacity since February 2012. I am currently assigned to the Albuquerque Division of the FBI, and have primary investigative responsibility in violent crimes occurring in Indian Country such as robbery, aggravated assaults, assaults on Federal Officers, and homicide.
2. The information set forth in this affidavit has been derived from an investigation conducted by SA Kalon Fancher, Farmington Resident Agency of the FBI , Criminal Investigators (CI) of the Navajo Department of Criminal Investigations (NDCI), and/or communicated to me by other sworn law enforcement officers as well as witnesses. The following information does not contain all items known to me but rather is used to establish sufficient probable cause for the crime of murder that occurred in the special jurisdiction of Indian Country.

RELEVANT STATUTES

3. This investigation concerns an alleged violation of :

Title 18 U.S.C. Section 1111 Murder

Title 18 U.S.C. Section 1153 Crimes Occurring in Indian Country

PROBABLE CAUSE

4. In the afternoon of July 24, 2018, CI Jefferson Joe, NDCI Shiprock, notified the FBI of a deceased male who was later identified as S.S., year of birth 1948, and will hereinafter be referred to as JOHN DOE. JOHN DOE was transported by a family member to the Northern Navajo Medical Center with apparent injuries to his face where he was pronounced dead. Based on information gathered during the investigation it was determined that JOHN DOE sustained his injuries at his home near 4th lane and Mesa Farm road in Shiprock, NM, which is located within the exterior boundaries of the Navajo Nation Indian Reservation in the state of New Mexico. JOHN DOE was an enrolled member of the Navajo Nation Indian Tribe. Navajo Police Officer Ty Joe located and arrested TASHQUIN DAVIS, year of birth 2000, hereinafter referred to as DAVIS, near JOHN DOE's house. Officer Joe observed blood on DAVIS's clothing and body when he was placed under arrest. DAVIS was transported to Navajo Nation Corrections where he was charged tribally with assault on a household member and is currently in tribal custody.
5. CI Joe spoke to JOHN DOE's wife, V.S. who stated she was at her home, in her bedroom with JOHN DOE, when an unknown male wearing a black shirt, who law enforcement later identified as DAVIS, came into her bedroom. She stated JOHN DOE was lying on

their bed. V.S. stated DAVIS pushed JOHN DOE off of their bed and started "punching" JOHN DOE. V.S. stated she told DAVIS to "stop" which DAVIS responded "shut up, you want to get hurt too." She stated DAVIS kicked JOHN DOE in the back and then left the scene.


6. On July 25, 2018 SA Fancher and CI Joe interviewed DAVIS at the NDCI office which is located in Shiprock, NM. After being advised of his Miranda rights and the identity of the interviewing Agents DAVIS agreed to talk to Agents. DAVIS stated while at his "grandmother's house," he had drank "3 or 4" 40 ounce bottles of malt liquor with JOHN DOE's son, S.S. and S.S.'s friend, R.T. DAVIS stated S.S. lived next to his grandmother's house with JOHN DOE and V.S. S.S. and R.T. got into R.T.'s red pickup and left DAVIS's grandmother's house. DAVIS stated he walked over to JOHN DOE and V.S.'s house to "ask for another 40." He stated when he walked into JOHN DOE's house there wasn't anybody in the living room. DAVIS stated he "went right" and walked down the hallway and found JOHN DOE and V.S. lying in bed in the "bedroom." DAVIS stated "they were pretty old." He stated he asked "them" for another "40" and JOHN DOE "said no" to giving DAVIS a 40 ounce bottle of beer. DAVIS said "I threatened them." DAVIS stated when JOHN DOE said no "I think that is when I started punching him." DAVIS stated JOHN DOE was laying on the bed when he started punching him. DAVIS estimated that he punched JOHN DOE in the "face" and "head" "20 to 30" times all while he was lying in bed. DAVIS stated he held JOHN DOE down on the bed with his left arm while he punched him with his right fist. DAVIS stated he then walked into the kitchen and retrieved a "kitchen knife." DAVIS stated he walked back into the bedroom and stabbed JOHN DOE. DAVIS stated he then walked outside

and a short time later he was arrested by the Navajo Police Department.

SUMMARY

7. In view of the above facts, the affiant submits there is probable cause to believe that TASHQUIN DAVIS, who is an enrolled member of the Navajo Nation Indian Tribe, and with a year of birth of 2000, did murder JOHN DOE by striking JOHN DOE with his fists and kicking him in violation of 18 United States Code, Section 1111, Murder, and that the above occurred within the boundaries of the Navajo Nation Indian Reservation, in violation of title 18, United States Code, Section 1153, Crime occurring in Indian Country.

I swear that this information is true and correct to the best of my knowledge and belief.

Affiant 
Special Agent Kalon Fancher
Federal Bureau of Investigation

Subscribed and sworn before me
on this 25 day of July, 2018.


United States Magistrate Judge